

September 15, 2020

The Honorable Zoe Lofgren
1309 Longworth House Office Building
United States House of Representatives
Washington, DC 20515

Dear Representative Lofgren:

Thank you for your leadership in the effort to increase transparency around the Office of Legal Counsel within the Department of Justice. We are grateful for your efforts to address this matter in the SUNLIGHT Act of 2019, which would give Americans critical transparency into how the executive branch interprets and implements federal law. And we thank you for your efforts to insert parallel language in the House report accompanying the Commerce, Justice, Science, and Related Agencies Appropriations Bill for fiscal year 2021.

Inclusion of this language in the House report and the continuing effort to pass the SUNLIGHT Act have advanced the cause of transparency and drawn critical attention to the issue of secret law emanating from the Department of Justice. By calling on the Attorney General to publicly release final opinions issued by the Office of Legal Counsel and provide a list of all opinions currently in effect, the House report makes clear that Congress will not sit idly as the executive branch secretly rewrites laws enacted by Congress.

Secret laws cannot claim the consent of the governed, and accountability is impossible in the absence of transparency. We are deeply appreciative of your continued leadership on these issues, and thankful your efforts are reflected in the House report.

Sincerely,

Americans for Prosperity
Citizens for Responsibility and Ethics in
Washington (CREW)
Defending Rights & Dissent
Demand Progress
FreedomWorks
Government Accountability Project
Government Information Watch

The National Security Archive
National Security Counselors
Open The Government
Project on Government Oversight
Protect Democracy
Revolving Door Project
X-Lab